THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 91-39
(As amended by 91-292, 92-14 and 99-21)

BEING A BY-LAW TO ESTABLISH AND DESIGNATE STREETS IN THE CITY OF PETERBOROUGH FOR HEAVY TRUCK TRAFFIC

WHEREAS The Corporation of the City of Peterborough desires to establish and designate certain streets in the City of Peterborough for Heavy Truck Traffic;

THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH HEREBIN ENACTS AS FOLLOWS:

Section 1: Interpretation and Definitions

1.0 Definitions. For the purpose of this By-law the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1) “City” is the City of Peterborough.

2) “Destination point” or “destination” means the place where goods will be either delivered from the heavy truck, or where goods will be placed or loaded on the heavy truck. A “destination” shall only be a site which is zoned or permitted to be used as industrial, commercial, or public service, in accordance with applicable law.

3) “Deviating Truck” is a truck which leaves and departs from a heavy truck route while traveling inside the City.

4) “Emergency Vehicle” means a fire truck, or a heavy truck responding to an emergency as sanctioned or required by statute or by-law of the City.

5) “Official Plan” means the Official Plan as approved pursuant to the Planning Act, and as further amended, from time to time, of the City.

6) “Person” is any person, firm, partnership, association, corporation, company or organization of any kind.

7) “Street” means a public highway.

8) “Heavy Truck” is any vehicle having an empty body weight in excess of Ten (10) Tons.
9) “Heavy Truck Route” is a way over certain streets, as designated herein, over and along which heavy trucks must operate.

10) “Residential Street” means a local street pursuant to the Official Plan.

1.1 The time restrictions and hours of operation over a heavy truck route shall be interpreted and applied in accordance with time measurements, and the daylight saving regulations of the Provincial government.

Section 2: Obligation

2.0 Except as otherwise specifically recited herein, no person shall operate a heavy truck within the City unless the same is operated only over along the heavy truck routes herein established and on the other designated streets over which such heavy truck travel is permitted.

2.1 1) Exceptions. This by-law shall not prohibit:

a) The operation of a heavy truck upon any street where necessary to deliver or receive goods at a destination point, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point as prescribed in Section 1.0 or the truck is operated on an approved local street route as prescribed in Section 4.0(3);

b) The operation of emergency vehicles upon any street in the City; or

c) The operation of trucks owned or operated by the City, public utilities, any contractor or material man, while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the City, or other public works; or

d) The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established; or

e) The operation of refuse collection vehicles, and collection of recycled materials as undertaken by the City, or as sanctioned by the City, or such vehicles actually used to service residential properties, such as apartment buildings; or

f) The operation of paving trucks, or trucks providing materials or supplies to a site on a residential street, if directed or requested by a resident or property owner on that street, provided that heavy truck routes are used until reaching the intersection nearest the destination as prescribed in Section 4.0; or

g) The operator of the truck resides at property on the residential street, as evidenced by the address indicated on the operator's driver's licence; or

h) The operation of buses within the City on any street; or

i) The operation of a heavy truck on a route or highway identified for such use pursuant to a Subdivision Agreement, Site Plan Agreement, or “Route Agreement” involving the City as a party to such Agreement.
Section 3: Truck Routes Established

3.0 Subject to the time restrictions recited in Section 5.0 and also Section 3.1 there is hereby established within the City the following “Heavy Truck Routes”;

1) all Provincialy designated or Provincialy signed highways within the municipality; and
2) all streets or the part thereof designated as a “Freeway”, or “Arterial” or as a “Collector” pursuant to the Official Plan of the City.

3.1 Subject to the exceptions as recited in this By-law, no heavy truck shall be operated on or along those streets (being an arterial, collector, or freeway; or part thereof), as listed in Schedule "D" to this By-law.

Section 4: Destination Traffic

4.0 In determining whether a heavy truck is complying with the provisions of this by-law, the following regulations shall apply to a deviating truck:

1) Outside Origin
   a) One inside destination point. Any heavy truck entering the City for a destination point in the City shall proceed only over an established heavy truck route and shall deviate only at the intersection with the street, upon which such heavy traffic is permitted, nearest to the destination point. Upon leaving the destination point, a deviating truck shall return to the heavy truck route by the shortest permissible route.

   b) Multiple inside destination points. Any heavy truck entering the City for multiple destination points shall proceed only over established heavy truck routes and shall deviate only at the intersection with the street, upon which such traffic is permitted nearest to the first destination point. Upon leaving the first destination point a deviating truck shall proceed to other destination points by the shortest direction and only over heavy truck routes upon which such traffic is permitted. Upon leaving the last destination point, a deviating truck shall return to the nearest heavy truck route by the shortest permissible route.

2) Inside Origin
   c) Outside destination point. All heavy trucks, on a trip originating in the City, and travelling in the City for a destination point outside the City shall, proceed by the shortest direction permitted in order to gain access to the use of a heavy truck route as herein established.
d) Inside destination points. All heavy trucks, on a trip originating in the City, and travelling in the City for destination points in the City shall proceed only over streets upon which such heavy truck traffic is permitted, and shall deviate only at the intersection with the street, upon which such traffic is permitted nearest to the destination point.

3) An “Approved Local Street” Route. All heavy trucks may use an approved local street route, which is a local street, or part thereof, approved for such use and posted for such use in accordance with the signage shown on Schedule “B” to this By-law.

Section 5: Time Restrictions on Certain Heavy Truck Streets or Heavy Truck Routes

5.0 No heavy truck shall be operated on any “Freeway”, “Arterial” or “Collector” in accordance with the following time restrictions:

   a) On Monaghan Road between Sherbrooke Street and Parkhill Road and between Crawford Drive and Braidwood Avenue, between the hours of 7:00 p.m., in the afternoon, and 7:00 a.m. in the forenoon.

   b) On Crawford Drive between Monaghan Road and Erskine Avenue between the hours of 7:00 p.m. in the afternoon, and 7:00 a.m. in the forenoon. (92-14)

Section 6: Maps and Signs

6.0 Clerk Maintains Maps. The City Clerk shall keep and maintain accurate maps setting out heavy truck routes and streets upon which heavy truck traffic is permitted and the maps shall be kept on file in the office of the City Clerk and shall be available to the public for inspection.

6.1 Director of Utility Services Maintains Signs. The Utility Services Department of the City shall cause all heavy truck routes and those streets upon which heavy truck traffic is prohibited to be clearly sign-posted to give notice that this by-law is in effect and such signage shall be implemented on the approval of City Council at its pleasure or upon advice or recommendation of the Traffic Technical Committee.

Section 7: Prosecution and Signage - SAVING Provision

7.0 No person shall be charged nor convicted of violating the provisions of this By-law by reason of operating a heavy truck upon a street wherein heavy truck travel is prohibited unless appropriate signs are posted at the nearest intersections of the said street, and the signage indicates that no heavy trucks are allowed, subject to the exceptions as described herein.

7.1 The signage depicted in Schedule “A” to this By-law shall be sufficient to indicate that heavy truck traffic is prohibited on a street or route.
Section 8: Heavy Trucks - Deviating to a Residential Dwelling Used for Accommodation

8.0 The provisions of this By-law shall not be applied so as to prevent a heavy truck from being operated on a street if the said street represents the shortest route to a dwelling unit, and the said dwelling unit will be used for accommodation by the operator of the truck, or is the residence of the operator as described in Section 2.1 (g).

Section 9: Parking of Heavy Trucks on Prohibited Routes

9.0 A heavy truck shall be deemed to be operated on a highway or route if it is parked on such highway or route.

9.1 Section 9.0 shall not, be so interpreted nor applied so as to effect any obligation to comply with the By-laws of the City in regard to parking.

Section 10: Penalty

10.0 Any person convicted of a breach of any provision of this By-law shall be liable to the fine as established by applicable law.

Section 11: Severability of Provisions

11.0 If any section or sections of this By-law, or parts thereof, may be found by any Court of Law to be illegal or beyond the power of Council to enact, such section, or sections, or parts thereof, shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent therefrom and to be enacted as such.

Section 12

12.0 By-law Number 90-37, as amended by By-law No. 90-329, Section 17, is hereby repealed.

By-law read a first and second time this 18th day of February, A.D., 1991.

By-law read a third time and finally passed this 18th day of February, A.D., 1991.

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) David Oakes, City Clerk
SCHEDULE “A”

The following signage shall depict that heavy trucks not be operated on a street, or part thereof:

- **by words – “No Heavy Trucks”**
- **by symbol(s)**
- **Time Restricts** (when applicable)

No Heavy Trucks
Between ____ P.M. and ___ A.M.

“NO HEAVY TRUCKS” SYMBOL

For legal requirements and further signing details, see Regulation 486 of The Highway Traffic Act.
SCHEDULE "B"

The following signage shall depict that heavy trucks are permitted on a street, or part thereof:

   e.g. by words – “HEAVY TRUCK ROUTE"

or by symbols (As Shown in Figure: 1)

FIGURE: 1

For legal requirements and further signing details, see Regulation 486 of The Highway Traffic Act.
SCHEDULE "C"

Illustrations of Ten (10) Ton Trucks deemed to be heavy trucks pursuant to the By-law:

ANY TRACTOR-TRAILER OR TRUCK-TRAILER COMBINATION

- Straight truck and tandem full trailer: 5 axles
- Tandem straight truck and tandem full trailer: 6 axles
- Tractor semi-trailer full trailer: 5 axles – A-train
- Tandem tractor, tandem trailer, full trailer: 7 axles - A-train
- Tandem tractor, tandem semi-trailer, tandem full trailer: 8 axles - A-train
- Tandem tractor, tandem semi-trailer, tandem full trailer: 7 axles - B-train
- Tandem tractor, 3-axle semi-trailer, tandem semi-trailer: 8 axles – B-train

IF OVER 10 TON - BY WEIGHT
SCHEDULE "D"

1. **CUMBERLAND AVENUE**  from Water Street to Hilliard Street
2. **HAWLEY STREET**  from Monaghan Road to Erskine Avenue
3. **HILLIARD STREET**  from Water Street to the north City limits
4. **ROMAINE STREET**  from Monaghan Road to High Street
5. **FORMER 4TH LINE SMITH TOWNSHIP**  from Hetherington Drive to the west City limits
6. **CAMERON STREET**  from Erskine Avenue to Park Street
7. **EDISON AVENUE**  from Park Street to Monaghan Road (91-292)
8. **WELLER STREET**  from Park Street to Monaghan Road (99-21)